

RECEIVED
CENTRAL FAX CENTER
JUN 26 2006

THE LAW OFFICES OF
ANDREW D. FORTNEY, PH.D., P.C.

401 W. FALLBROOK AVENUE, SUITE 204
FRESNO, CALIFORNIA 93711

WWW.FORTNEYLAW.COM

TELEPHONE: (559) 432-6847

FAX: (559) 432-6872

EMAIL: INFO@FORTNEYLAW.COM

ANDREW D. FORTNEY, PH.D.

ALEC B. PLUMB*

*REGISTERED PATENT AGENT

ATTN: MAIL STOP AMENDMENT

COMPANY: COMMISSIONER FOR PATENTS / P.O. Box 1450, ALEXANDRIA VA 22313-1450

FAX: 1 (571) 273-8300

DATE: 6-26-2006

TIME: 12:45 PM

☐ WITH CONFIRMATION
☒ WITHOUT CONFIRMATION

RE: APPLICATION NO. 10/712,740
FILED: 11-13-2003

I hereby certify that this document and all documents listed below are being transmitted via facsimile to Commissioner for Patents, fax no. (571) 273-8300, on June 26, 2006.

By:  Amanda S. Tout

SUBMITTED HERewith FOR THE ABOVE-CAPTIONED APPLICATION:

- Transmittal Form
- Fee Transmittal Form
- Credit Card Payment Form
- Information Disclosure Statement (2 Pgs.)
- Form PTO/SB/08A
- Form PTO/SB/08B
- Cited References (2)

Respectfully submitted,



Andrew D. Fortney, Ph.D.; Reg. No. 34,600

PLEASE DIRECT ANY QUESTIONS REGARDING THE TRANSMISSION OF THIS FAX TO:
(559) 432-6847 / FAX (559) 432-6872 / INFO@FORTNEYLAW.COM

THIS FAX CONTAINS 17 PAGE(S) INCLUDING THIS ONE.

This message is intended for its recipient(s) only, and may contain attorney-client privileged communications, attorney work product or other privileged communications. No waiver of any applicable legal privilege is intended by this transmission. If this transmission is received in error by other than the intended recipient(s), please notify the Law Offices of Andrew Fortney at the phone/fax number listed at the top of this page and then please return or destroy the transmitted document. Thank you for your cooperation and assistance.

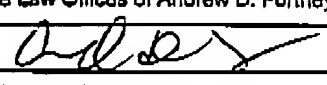
PTO/SB/21 (09-04)
Approved for use through 07/31/2008. OMB 0831-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

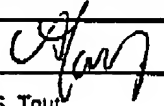
Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

| | | | |
|---|----------------------|----------------------------|-----------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/712,740 | |
| | Filing Date | 11-13-2003 | |
| | First Named Inventor | In Kyu CHUN | |
| | Art Unit | 2823 | |
| | Examiner Name | Malsawma, Lalrinfamklim H. | |
| Total Number of Pages in This Submission | 17 | Attorney Docket Number | PIA30957/DBE/US |

**RECEIVED
CENTRAL FAX CENTER
JUN 26 2006**

| ENCLOSURES (Check all that apply) | | |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input checked="" type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavit(s)/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | - Fax Transmittal Cover Sheet |
| <input checked="" type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | - Credit Card Payment Form |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | - Form PTO/SB/08A |
| <input type="checkbox"/> Reply to Missing Parts/Incomplete Application | <input type="checkbox"/> Landscape Table on CD | - Form PTO/SB/08B |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | | - Cited References (2) |
| Remarks | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | |
|--|---|-----------------|
| Firm Name | The Law Offices of Andrew D. Fortney, Ph.D., P.C. | |
| Signature |  | |
| Printed name | Andrew D. Fortney, Ph.D., P.C. | |
| Date | 6-26-2006 | Reg. No. 34,600 |

| CERTIFICATE OF TRANSMISSION/MAILING | | |
|---|---|----------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: | | |
| Signature |  | |
| Typed or printed name | Amanda S. Tout | Date 6-26-2006 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/17 (12-04v2)
Approved for use through 07/31/2008, QMS 0831-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

| | | | |
|--------------------------------|--|-------------|------------|
| TOTAL AMOUNT OF PAYMENT | | (\$) | 180 |
|--------------------------------|--|-------------|------------|

| Complete If Known | |
|----------------------|---------------------------|
| Application Number | 10/712,740 |
| Filing Date | 11-13-2003 |
| First Named Inventor | In Kyu CHUN |
| Examiner Name | Malsawma, Lailinfamkim H. |
| Art Unit | 2823 |
| Attorney Docket No. | PIA30957/DBE/US |

RECEIVED
CENTRAL FAX CENTER
JUN 26 2006

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☐ Deposit Account Deposit Account Number: _____ Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☐ Charge any additional fee(s) or underpayments of fee(s) ☐ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2036.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
| | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |

2. EXCESS CLAIM FEES

| Fee Description | Fee (\$) | Small Entity Fee (\$) |
|--|----------|-----------------------|
| Each claim over 20 (including Reissues) | 50 | 25 |
| Each independent claim over 3 (including Reissues) | 200 | 100 |
| Multiple dependent claims | 360 | 180 |

Total Claims - 20 or HP = 0 x Fee (\$)

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims - 3 or HP = 0 x Fee (\$)

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(u)(1)(G) and 37 CFR 1.16(s).

Total Sheets - 100 = Extra Sheets / 50 = Number of each additional 50 or fraction thereof x Fee (\$)

4. OTHER FEE(S)

| Description | Fee (\$) | Fees Paid (\$) |
|---|----------|----------------|
| Non-English Specification, \$130 fee (no small entity discount) | | 0 |
| Other (e.g., late filing surcharge): Submission of IDS Fee Under 37 CFR 1.17(o) | | 180 |

SUBMITTED BY

| | | |
|--|-------------------------|----------------|
| Signature | Registration No. 34,600 | Telephone |
| Name (Print/Type) Andrew D. Fortney, Ph.D., P.C. | (Attorney/Agent) | Date 6-26-2006 |

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED
CENTRAL FAX CENTER
JUN 26 2006

Atty. Docket No. PIA30957/DBE/US

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: :
In Kyu CHUN : GROUP ART UNIT: 2823
APPLICATION NO: 10/712,740 :
FILED: 11-13-2003 : EXAMINER: Malsawma, Lalrinfamkim H.
FOR: Method for Forming a Contact Using a Dual Damascene Process in
Semiconductor Fabrication

I hereby certify that this document is being facsimile transmitted to the USPTO or deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 26, 2006

By:  Amanda S. Tout

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.56 AND 1.97-98

MAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents listed on the attached form(s) for the Examiner's consideration. One copy of each of the listed documents, other than any U.S. patents, U.S. patent publications and/or pending U.S. applications, is submitted herewith.

This Information Disclosure Statement is being filed:

- ☐ concurrently with the application, within three months of the filing date of the application, or before the mailing date of a first Office Action on the merits;
- ☐ before the mailing of a first Office Action after the filing of a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114; or
- ☐ more than three months from the filing date of this application or after the mailing date of the first Office Action on the merits, but before the mailing date of the first to occur of either: (1) a final action under 37 C.F.R. § 1.113; (2) a Notice of Allowance under 37 C.F.R. § 1.311; or (3) an action that otherwise closes prosecution in the application.

06/27/2006 MBINAS 00000031 10712740

01 FC:1806

180.00 OP

Atty. Docket No. PIA30957/DBE/US
Application No: 10/712,740

Therefore:

- ☐ No Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.
- ☒ The fee under 37 C.F.R. § 1.17(p) accompanies this submission.

Statement under 37 C.F.R. § 1.97(e) (if applicable):

- ☒ Each item of information in the accompanying list(s) was first cited in communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- ☐ No item of information in the accompanying list(s) was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained herein was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Nothing in this Information Disclosure Statement or its submission shall be construed as an admission against interest in any manner, including as an admission or representation regarding: (i) the completeness of the list of information, (ii) the status of any listed information or document as prior art, (iii) any search that may or may not have been made, (iv) the pertinence or relevance of any listed information to this application, (v) the possible or actual materiality of the listed information to the patentability of the claims of this application, or (vi) the existence or nonexistence of other (potentially) material information. Applicant does not waive any right to take any action that would appropriate to antedate or otherwise remove any listed information or document as a competent or available reference against the claims of the present application.

Respectfully submitted,



Andrew D. Fortney, Ph.D.
Reg. No. 34,600

401 W. Fallbrook Ave., Suite 204
Fresno, California 93711
(559) 432-6847

Page 2 of 2

JUN 26 2006

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

| | |
|------------------------|--------------------------|
| Application Number | 10/712,740 |
| Filing Date | 11-13-2003 |
| First Named Inventor | In Kyu CHUN |
| Art Unit | 2823 |
| Examiner Name | Malsawma Lalrinfamkim H. |
| Attorney Docket Number | PIA30957/D8E/US |

| | | | |
|-------|---|----|---|
| Sheet | 1 | of | 2 |
|-------|---|----|---|

[illegible][illegible]

| | | | |
|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

If you need assistance in completing the form, call 1-800-PTD-9199 (1-800-786-9199) and select option 2.

PTC/SB/DBB (07.03)

Approved for use through 07/31/2000, OMB 0551-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1985, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 144B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete If Known

| | |
|------------------------|---------------------------|
| Application Number | 10/712,740 |
| Filing Date | 11-13-2003 |
| First Named Inventor | In Kyu CHUN |
| Art Unit | 2823 |
| Examiner Name | Malsawma, Lalrinfamkum H. |
| Attorney Docket Number | PIA30957/D8E/US |

RECEIVED
CENTRAL FAX CENTER
JUN 26 2006

| | | | |
|-------|---|----|---|
| Sheet | 2 | of | 2 |
|-------|---|----|---|

NON PATENT LITERATURE DOCUMENTS

[illegible]

| | |
|-----------------------|--------------------|
| Examiner Signature | Date Considered |
|-----------------------|--------------------|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 800. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's include citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.90. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTD-9199 (1-800-788-9199) and select option 2.